

## § 97.60

## 40 CFR Ch. I (7–1–00 Edition)

the NO<sub>x</sub> authorized account representative for the account that the account will be closed and deleted from the NO<sub>x</sub> Allowance Tracking System following 20 business days after the notice is sent. The account will be closed after the 20-day period unless before the end of the 20-day period the Administrator receives a correctly submitted transfer of NO<sub>x</sub> allowances into the account under § 97.60 or a statement submitted by the NO<sub>x</sub> authorized account representative demonstrating to the satisfaction of the Administrator good cause as to why the account should not be closed.

### Subpart G—NO<sub>x</sub> Allowance Transfers

#### § 97.60 Submission of NO<sub>x</sub> allowance transfers.

The NO<sub>x</sub> authorized account representatives seeking recordation of a NO<sub>x</sub> allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NO<sub>x</sub> allowance transfer shall include the following elements in a format specified by the Administrator:

- (a) The numbers identifying both the transferor and transferee accounts;
- (b) A specification by serial number of each NO<sub>x</sub> allowance to be transferred; and
- (c) The printed name and signature of the NO<sub>x</sub> authorized account representative of the transferor account and the date signed.

#### § 97.61 EPA recordation.

(a) Within 5 business days of receiving a NO<sub>x</sub> allowance transfer, except as provided in paragraph (b) of this section, the Administrator will record a NO<sub>x</sub> allowance transfer by moving each NO<sub>x</sub> allowance from the transferor account to the transferee account as specified by the request, provided that:

- (1) The transfer is correctly submitted under § 97.60; and
- (2) The transferor account includes each NO<sub>x</sub> allowance identified by serial number in the transfer.

(b) A NO<sub>x</sub> allowance transfer that is submitted for recordation following the NO<sub>x</sub> allowance transfer deadline and that includes any NO<sub>x</sub> allowances allocated for a control period in a prior

year or the same year as the NO<sub>x</sub> allowance transfer deadline will not be recorded until after the Administrator completes the recordation of NO<sub>x</sub> allowance allocations under § 97.53 for the control period in the same year as the NO<sub>x</sub> allowance transfer deadline.

(c) Where a NO<sub>x</sub> allowance transfer submitted for recordation fails to meet the requirements of paragraph (a) of this section, the Administrator will not record such transfer.

#### § 97.62 Notification.

(a) *Notification of recordation.* Within 5 business days of recordation of a NO<sub>x</sub> allowance transfer under § 97.61, the Administrator will notify the NO<sub>x</sub> authorized account representatives of both the transferor and transferee accounts.

(b) *Notification of non-recordation.* Within 10 business days of receipt of a NO<sub>x</sub> allowance transfer that fails to meet the requirements of § 97.61(a), the Administrator will notify the NO<sub>x</sub> authorized account representatives of both accounts subject to the transfer of:

- (1) A decision not to record the transfer; and
- (2) The reasons for such non-recordation.

(c) Nothing in this section shall preclude the submission of a NO<sub>x</sub> allowance transfer for recordation following notification of non-recordation.

### Subpart H—Monitoring and Reporting

#### § 97.70 General requirements.

The owners and operators, and to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> Budget unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and in subpart H of part 75 of this chapter. For purposes of complying with such requirements, the definitions in § 97.2 and in § 72.2 of this chapter shall apply, and the terms “affected unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) in part 75 of this chapter shall be deemed to refer to the terms “NO<sub>x</sub> Budget unit,” “NO<sub>x</sub> authorized account representative,” and